

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                                 |   |                          |
|---------------------------------|---|--------------------------|
| ANCELL HAMM,                    | ) |                          |
|                                 | ) |                          |
| Plaintiff,                      | ) | Civil Action No. 03-1770 |
|                                 | ) |                          |
| v.                              | ) | Judge Lancaster          |
|                                 | ) | Magistrate Judge Caiazza |
| EDWARD RENDELL, <i>et al.</i> , | ) |                          |
|                                 | ) |                          |
| Defendants.                     | ) |                          |

**MEMORANDUM ORDER**


On November 18, 2003, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On November 3, 2006, the magistrate judge issued a Report (Doc. 53) recommending that the District Court deny the Plaintiff's Motion for Summary Judgment (Doc. 44).

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, on this 11<sup>TH</sup> day of JANUARY, 2007,  
IT IS HEREBY ORDERED that the Plaintiff's Motion for Summary  
Judgment (**Doc. 44**) is **DENIED**.

The Report and Recommendation of Magistrate Judge Caiazza  
dated November 3, 2006 is hereby adopted as the opinion of the  
District Court.

  
\_\_\_\_\_  
Gary L. Lancaster  
United States District Judge

cc:

Ancell Hamm, AK-2165  
SCI Fayette  
Box 9999  
LaBelle, PA 15450-0999

Craig E. Maravich, Esq. (via email)